

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, AUGUST 6, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 11:19 a.m. The meeting was recessed by Mayor O'Connor at 12:15 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor O'Connor at 2:07 p.m. with no quorum present. A quorum was present at 2:10 p.m. with Council Members Hartley, McCarty and Filner not present. Mayor O'Connor recessed the meeting at 4:41 p.m. to convene the Housing Authority and thereafter the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 4:43 p.m. with Council Member McCarty not present.

The meeting was adjourned by Deputy Mayor Filner at 4:01 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-Present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Behr-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-not present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb/ll)

FILE LOCATION: MINUTES

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ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

ITEM-52: (R-91-16) ADOPTED AS ORDINANCE O-17670 New Series)

Amending Ordinance No. O-17648 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for Fiscal Year 1991-92," by adding a new Section 5.1, entitled "FLSA Exempt Employee Salary Status."

(Introduced on 7/23/91. Council voted 8-1. District 8 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A077-082.)

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT.
Second by Henderson. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Behr-yea, Henderson-yea, McCarty-not present, Filner-not
present, Mayor O'Connor-yea.

ITEM-310: (R-92-182) ADOPTED AS RESOLUTION R-278513

Proclaiming August 26 through September 2, 1991 to be "National JTPA Alumni Week" in San Diego; commending the many individuals and organizations who have played key roles in the establishment and ongoing success of the San Diego Consortium and Private Industry Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A044-056.)

MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-311: DID NOT SHOW

Welcoming a group of approximately 15 youngsters from the Boys and Girls Club of El Cajon, accompanied by Barbara Marabian. This group will arrive at approximately 10:30 a.m.

ITEM-312: WELCOMED

Welcoming a group of approximately 26 high school students who are participating in the Youth Fellowship Program, accompanied by Alicia Martinez. This group will arrive at approximately 10:30 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A059-069.)

ITEM-330: (O-92-14) INTRODUCED AND ADOPTED AS ORDINANCE
O-17671 (New Series)

Adoption of an Ordinance fixing the tax rates and levying taxes for Fiscal Year 1991-92. NOTE: See Item 200 on the docket of Monday, August 5, 1991.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A083-100.)

MOTION BY PRATT TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

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ITEM-331: (O-92-10) RETURNED TO CITY MANAGER

Introduction and adoption of an Ordinance amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Water Utilities Department (700) to exempt a new Deputy Director position for the Technical Services and Environmental Monitoring Division (Program Element 70211) from the Classified Service; establishing a salary rate.

NOTE: See Item 201 on the docket of Monday, August 5, 1991, for the first public hearing. Today's actions is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A070-077.)

MOTION BY BEHR TO RETURN THE ITEM TO THE CITY MANAGER. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-332: (O-92-20) INTRODUCED AND ADOPTED AS ORDINANCE AS
ORDINANCE O-17672 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Waste Management Department (752) to exempt a new Assistant Deputy Director position for the Refuse Disposal Division (Program Element 75211) from the Classified Service; establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: On September 6, 1990, the Civil Service Commission reviewed the request for the Waste Management Department to create the position of Assistant Deputy Director in the Refuse Disposal Division and determined that the position meets the criteria of the Charter and supports exemption from the Classified Service. The Assistant Deputy Director will report to the Refuse Disposal Division Deputy Director and will

have significant responsibility for formulating departmental policies and procedures. The Assistant Deputy Director shall provide the necessary administrative and management oversight to control the day-to-day activities of the 97 person division. Within the Division organization structure the Assistant Deputy Director will ensure the efficient and effective operation of this diverse division and enable the department to meet the mandated goals. The Waste Management Department is initiating a wide variety of programs in order to meet various mandated recycling goals. Within the Refuse Disposal Division these programs include a Materials Recovery Facility, Green Material, Woodwaste and Demolition Material recycling projects, and a composting facility. An Assistant Deputy Director will aid the department to manage its resources and provide the administrative skills necessary to implement these projects in order to achieve these recycling goals.

NOTE: See Item 202 on the docket of Monday, August 5, 1991 for the first public hearing. Today's actions is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A083-100.)

MOTION BY PRATT TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-333: (R-92-242 Cor. Copy) GRANT THE INITIATION REQUEST
WITH AMENDMENTS, ADOPTED AS
RESOLUTION R-278527

(Continued from the meeting of July 23, 1991, Item 335, at Councilmember Behr's request, for a revised Town Center concept and for an initial review of Miramar Ranch by the community on the impacts of the construction of 8a.)

In the matter of the request of Miramar Ranch North Partnership that the City of San Diego initiate a community plan amendment to redesignate land uses. Industrial land uses would be redesignated to commercial, office, hotel/restaurant, church, day care and park land uses. The amendment would also result in the addition of 749 new dwelling units. The subject property (approximately 130-acres) is located on the

east side of I-15, between Miramar Lake and Poway Road, within the boundaries of the Miramar Ranch North Community Plan. The subject property is more particularly described as a portion of the south half of Section 21, Township 14 South, Range 2 West, S.B.B.M.; portions of Parcels 1 and 2 of Parcel Map PM-14987; a portion of Parcel 1 of Parcel Map PM-11571; and a portion of Parcel 1 of Parcel Map PM-11698. (District-5.) A motion granting or denying the initiation request.

FILE LOCATION: LAND-Miramar Ranch North Community Plan

COUNCIL ACTION: (Tape location: A115-B147, D210-296.)

Hearing began 11:27 a.m.

Testimony in favor by David Prewett and Jim Dawe.

Hearing recessed 12:09 p.m.

Hearing resumed 3:08 p.m. and halted 3:14 p.m.

Testimony in favor by Jim Dawe.

MOTION BY BEHR TO GRANT THE INITIATION REQUEST WITH THE FOLLOWING AMENDMENTS: THAT A FIGURE OF 260 UNITS BE USED AS THE MODERATE INCOME HOUSING ELEMENT OF THIS REVISED PLAN, AND WITHIN THIS PLAN TO ATTEMPT TO FIND AN ALLOCATION OF 25% BETWEEN LOW AND MODERATE. GO FORWARD WITH THE JERDE PARTNERSHIP II PLAN AND ALLOW FOR FLEXIBILITY IN THIS MIXED USE AREA FOR THE INTERCHANGE OF USES SUBJECT TO APPROPRIATE GUIDELINES WITHIN THE PLANNED COMMERCIAL DEVELOPMENT PERMIT; TWO MORE CHURCH SITES BE MADE AVAILABLE; THE SCHOOL AND PARK BE MOVED; 8A BE WIDENED, AND THE INDUSTRIAL ELEMENT OF ROUTE 8A BE CHANGED TO RESIDENTIAL; THAT CARE BE GIVEN TO THE TYPE AND QUALITY OF HOUSING AND ARCHITECTURAL TREATMENT FOR LOW AND MODERATE HOUSING ELEMENTS; AND DURING THE ENSUING SIX MONTHS OF EVALUATION, REFINE THIS PLAN FOR FINAL APPROVAL AND BRING BACK TO COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-not present.

ITEM-334:

Two actions relative to the North University City Facilities Benefit Assessment: (District-1.)

Subitem-A: (R-91-2210) ADOPTED AS RESOLUTION R-278514

Designating an area of benefit in North University City; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program; the method for apportioning the costs of the public facilities projects among the parcels within the area of benefit and the amount of the facilities benefit assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in facilities benefit assessments; and ordering the proposed public facilities project in the matter of the North University City Facilities Benefit Assessment Area.

Subitem-B: (R-91-2221) ADOPTED AS RESOLUTION R-267515

Declaring the development impact fee schedule contained in the North University City Public Facilities Financing Plan, as adopted in Resolution R-278332, to be an appropriate and applicable development impact fee for all properties within the North University City Community.

FILE LOCATION: STRT FB-1

COUNCIL ACTION: (Tape location: A083-100.)

Hearing began 11:23 a.m. and halted 11:25 a.m.

MOTION BY PRATT TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-335:

Request for Villas at Wateridge - Rezoning, Planned Commercial Development, Coastal Development and Planned Industrial Permits RZ, PCD, CDP & PID-90-1123 (amending PID-40-021), amendment to the Mira Mesa Community Plan and Local Coastal Program. The subject property is located south of Lusk Boulevard, east of Wateridge Vista Drive and Wateridge Circle, between Wateridge Circle and Mira Mesa Boulevard, in Zone M-IP (proposed Zone CA), in the Mira Mesa Community Plan area, and is more particularly described as Lots 8-17 of Wateridge I, Final Map-10602.

The proposed rezone from M-IP Zone (Manufacturing Industrial Park) to CA Zone (Commercial Area Shopping Center) is consistent with the proposed community plan amendment.

The Planned Commercial Development and Coastal Development Permits PCD-90-1123 & CDP-90-1123 propose a multi-family residential and commercial recreational center to be developed in an area currently designated for industrial park and open space uses. The residential development proposed 344 apartment units, with a 5,000 square-foot athletic center for use by both the residents and employees of the surrounding area. The Planned Industrial Development Permit PID-90-1123 (amending PID-40-021) would allow for the deletion of 24.5-acres from the existing 89-acre Wateridge Industrial Park to be used for residential and commercial uses under the proposed Planned Commercial Development.

The amendment to the Mira Mesa Community Plan proposes to change the land use designation of 24.5-acres from Industrial Park and Open Space to Medium-Low Density Residential (16-29 dwelling units per acre), Specialized Commercial and Open Space.

The proposed plan amendment and rezone also constitute an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed Local Coastal Program amendment must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until approval by the California Coastal Commission.

(RZ, PCD, CDP & PID-90-1123 (am.PID-40-021).
District-5.)

Subitem-A: (R-92-145) ADOPTED AS RESOLUTION R-278516

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-1123 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-92-18) INTRODUCED, TO BE ADOPTED SEPTEMBER
9, 1991

Introduction of an Ordinance for CA Zoning.

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Subitem-C: (R-92-243) ADOPTED AS RESOLUTION R-278517,
GRANTED PERMIT

Adoption of a Resolution granting or denying the PCD
permit, with appropriate findings to support Council
action.

Subitem-D: (R-92-244) ADOPTED AS RESOLUTION R-278518,
GRANTED PERMIT

Adoption of a Resolution granting or denying the CDP
permit, with appropriate findings to support Council
action.

Subitem-E: (R-92-245) ADOPTED AS RESOLUTION R-278519,
GRANTED PERMIT

Adoption of a Resolution granting or denying the
amendment to the PID permit, with appropriate findings
to support Council action.

Subitem-F: (R-92-246) ADOPTED AS RESOLUTION R-278520,
GRANTED COMMUNITY PLAN

Adoption of a Resolution granting or denying the
community plan and LCP amendments.

FILE LOCATION: SUBITEMS-A&C: PERM PCD 90-1123;
SUBITEM-B:--; SUBITEM-D: PERM
CDP-90-1123; SUBITEM-E: PERM PID
90-1123; SUBITEM-F: LAND-Mira Mesa
Community Plan and LCP

COUNCIL ACTION: (Tape location: B148-150.)

MOTION BY BEHR TO APPROVE STAFF RECOMMENDATIONS. Second by
Henderson. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,
Henderson-yea, McCarty-not present, Filner-not present,
Mayor O'Connor-yea.

ITEM-336:

Consideration of an amendment to the Mid-City Community
Plan and rezone for property located at 4424 56th
Street. The proposed community plan amendment would
redesignate the lot from Medium Residential Density (15
to 30 dwelling units per acre) to Low Residential
Density (5 to 10 dwelling units per acre) and include

the lot on the Mid-City Single-Family Neighborhood Classification Map. A rezone from Zone MR-1000 (multi-family) to Zone R-1-5000 (single-family) is also proposed for the subject lot, (see Map-B-3980). The subject property is more particularly described as Lot 12 and a portion of Lot 9, The Arboles, Map-2073. The proposed community plan amendment and rezone are part of the single-family neighborhood protection project. Single-family protection of other areas of Mid-City were considered by the City Council in June of 1990.

(District-7.)

Subitem-A: (R-91-2252) ADOPTED AS RESOLUTION R-278521

Adoption of a Resolution amending the community plan and inclusion in the of the lots in the Single Family Neighborhood Classification Map.

Subitem-B: (O-91-194) INTRODUCED, TO BE ADOPTED
SEPTEMBER 9, 1991

Introduction of an Ordinance for R1-5000 Zoning.

FILE LOCATION: LAND - Mid City Community Plan

COUNCIL ACTION: (Tape location: B154-160.)

MOTION BY HARTLEY TO APPROVE STAFF RECOMMENDATIONS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-337:

1) Approval of an amendment to Subdistrict "C" of the Barrio Logan Planned District Ordinance (Chapter X, Article 3, Division 9 of the San Diego Municipal Code) to include provisions to preserve the existing small-scale appearance of buildings fronting the street, while still allowing for multi-family residential use. The provisions of the proposed amendment include limiting lot consolidations to a maximum 7,000 square feet of lot area, increasing allowable lot coverage by 10 percent, implementing design guidelines to front building facades and applying a 25 foot height limit to the front 35 percent of lot area and a 35 foot height limit on the remainder.

2) Approval of an amendment to the Barrio Logan/Harbor 101 Community Plan to redesignate Newton Avenue between 26th and 27th Streets to "Exclusively Residential" in order to apply the above regulations for Subdistrict "C". This area is currently designated in the Community Plan for Residential/Commercial/Industrial mixed-use development but has been primarily built-out with small-scale residential development.

3) Approval of a rezoning of Newton Avenue between 26th and 27th Street. As shown on Rezone Map B-3983, this area is proposed to be rezoned from Subdistrict "A" (Residential/Commercial/Industrial) to Subdistrict "C" (Exclusively Residential) of the Barrio Logan Planned District Ordinance.

4) Approval of an amendment to the Local Coastal Program (LCP) required as a result of the proposed rezone and amendments to the Community Plan and Planned District Ordinance. If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certifications. The LCP amendment will not become effective until after approval by the California Coastal Commission.

(Case-350318. District-8.)

Subitem-A: (O-92-) HEARING HELD, TO BE INTRODUCED
SEPTEMBER 9, 1991

Introduction of an Ordinance incorporating the amendment to Subdistrict "C" of the Barrio Logan PDO and amending the Local Coastal Program implementing ordinance.

Subitem-B: (O-92-) REFERRED TO PLANNING DEPARTMENT

Introduction of an Ordinance incorporating the rezone of Newton Avenue from Subdistrict "A" to Subdistrict "C" of the Barrio Logan PDO.

Subitem-C: (R-92-) REFERRED TO PLANNING DEPARTMENT

Adoption of a Resolution approving the amendments to the Barrio Logan PDO, Barrio Logan/Harbor 101 Community Plan and the Local Coastal Program.

FILE LOCATION: Subitem A-LAND-Barrio Logan Planned
District; Subitems B&C-Barrio
Logan/Harbor 101 Community Plan.

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COUNCIL ACTION: (Tape location: F159-359.)

Hearing began 4:26 p.m. and halted 4:40 p.m.

Testimony in opposition by Harold Arnhardt and Enrique Halfon.

MOTION BY FILNER TO APPROVE SUBITEM A AND REFER SUBITEMS B AND C BACK TO THE PLANNING DEPARTMENT IN ORDER TO HAVE ADDITIONAL TIME TO WORK WITH THE RESIDENTS OF THE AREA TO EXPLAIN THE PROJECT AND CLARIFY ANY CONFUSION. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-338: CONTINUED TO OCTOBER 1, 1991

Proposal to amend the Sabre Springs Community Plan and a request for a Planned Commercial Development Permit PCD-91-0283 (amending old PCD-88-0408). This project proposes to redesignate a 1.3-acre undeveloped park -and-ride site, relocating the park and ride site from Parcel 16 to the open space area to the north and adjacent to Parcel 1.

The subject property is located on the northeast side of Poway Road and Sabre Springs Parkway, in Zone CA -RR, in the Sabre Springs Community Plan area, and is more particularly described as a portion of the north half of the northwest quarter of Section 21, Township 14 South, Range 2 West, S.B.B.M. (PCD-91-0283. District-5.)

Subitem-A: (R-92-100)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0644 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-92-99)

Adoption of a Resolution approving the plan amendment.

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Subitem-C: (R-92-)

Adoption of a Resolution granting or denying the permit with appropriate findings to support Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D165-182.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 1, 1991 AT THE REQUEST OF THE CITY MANAGER TO ALLOW THE NEW COMMUNITY PLANNING GROUP TIME TO REVIEW THE PROJECT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-339:

Matter of the request of PacTel Cellular for a Conditional Use Permit CUP-91-0242 for the use of an unmanned, remote-controlled communications facility for current and future uses consisting of an eight-foot by 30-foot metal equipment building, a six-foot-diameter microwave dish and a 36-foot-high monopole antenna support structure with appurtenant cellular whip and multi-directional panel antennas. The subject property is located on the northeast corner at the intersection of Regents Road Commercial Center, Map-4973, in Zone CN within the University Community Plan area. (CUP-91-0242. District-1.)

Subitem-A: (R-92-247) ADOPTED AS RESOLUTION R-278529

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-91-0242 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-92-248) GRANT THE PERMIT WITH
CONDITIONS, ADOPTED AS
RESOLUTION R-278530

Adoption of a Resolution granting or denying the CUP permit with appropriate findings to support Council action.

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FILE LOCATION: PERM-CUP-91-0242

COUNCIL ACTION: (Tape location: F361-G012.)

MOTION BY WOLFSHEIMER TO GRANT THE CUP WITH THE FOLLOWING CONDITIONS; REALIGN LANDSCAPING TO SATISFY THE NEEDS OF BOTH PARTIES WHICH WILL INCLUDE TREES TO SCREEN THE STRUCTURE, AND DRIP IRRIGATION WITHOUT ADDITIONAL COST TO HOMEOWNERS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

ITEM-S400: RECOGNIZED

Recognizing the coaches and officers of the Northabbey Boys Brigade from Belfast, Northern Ireland.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C023-050.)

ITEM-S500: WELCOMED

Welcoming approximately 30 students from Cadman Elementary, accompanied by their teacher, Ruth Johnson. This group will arrive at approximately 10:00 a.m.

(District-6.)

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A020-030.)

ITEM-S501:

Alternate Ordinances relating to Establishing a Wetlands Advisory Board: (See City Manager Report CMR-91-366.)

Subitem-A: (O-92-1a) FILED

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code, by adding a new Division 10, Sections 26.1001 and 26.1002,

establishing a Wetlands Advisory Board to advise the Mayor, City Council and City Manager on public policy matters relating to wetlands in the City of San Diego.

Subitem-B: (O-92-1b) INTRODUCED AS AMENDED, TO BE
ADOPTED SEPTEMBER 9, 1991

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code, by adding a new Division 10, Sections 26.1001 and 26.1002, establishing a Wetlands Advisory Board to advise the Mayor, City Council and City Manager on public policy matters relating to wetlands in the City of San Diego, and establishing membership criteria for members of the Board.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B170-300.)

MOTION BY HARTLEY TO FILE SUBITEM-A AND TO INTRODUCE SUBITEM-B AS AMENDED WITH MODIFICATIONS TO SECTION B, ITEM NO. 7, CHANGING THE LANGUAGE FROM "TWO (2) REPRESENTATIVES FROM BROAD BASED ENVIRONMENTAL ORGANIZATIONS" TO "THREE (3) REPRESENTATIVES;" AND TO ACCEPT COUNCIL MEMBER ROBERT'S AMENDMENT TO THE MOTION TO ADD AN ADDITIONAL CATEGORY FOR THE APPOINTMENT OF A MEMBER TO REPRESENT LANDOWNERS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S502:

Two actions relative to the Carmel Valley Facilities Benefit Assessment:

(See City Manager Report CMR-91-284 and committee Consultant Analysis TLU-90-25. Carmel Valley Community Area. District-1.)

Subitem-A: (R-91-2222) ADOPTED AS RESOLUTION
R-278522

Approving the document entitled "Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, May 1991."

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Subitem-B: (R-91-2223)

ADOPTED AS RESOLUTION
R-278523

Resolution of Intention to designate an area of benefit
in Carmel Valley and setting the time and place for
holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 6/24/91.
Recommendation to approve the City Manager's recommendation
subject to inclusion of Light Rail Transit funding of \$300,000
for engineering studies (I-5); \$14,500 for SR 56 LRT alignment
studies; \$500,000 for the east-west street fair-share financing;
and changing the commercial and industrial fees to dollars per
square foot. Districts 1,4 and 5 voted yea. Districts 2 and 8
not present.

FILE LOCATION: STRT FB-8

COUNCIL ACTION: (Tape location: A101-111.)

MOTION BY WOLFSHEIMER TO ADOPT AS RECOMMENDED BY THE CITY
MANAGER WITH THE CORRECTION TO THE COMMITTEE ACTION TO READ
AN ADDITIONAL \$50,000 FOR THE EAST-WEST ROAD. Second by
Hartley. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,
Henderson-yea, McCarty-not present, Filner-not present,
Mayor O'Connor-yea.

ITEM-S503:

Two actions relative to the Penasquitos East Facilities
Benefit Assessment:

(See City Manager Report CMR-91-284 and committee
Consultant Analysis TLU-90-25. Penasquitos East
Community Area. District-1.)

Subitem-A: (R-91-2222)

ADOPTED AS RESOLUTION
R-278524

Approving the document entitled "Penasquitos East
Public Facilities Financing Plan and Facilities Benefit
Assessment, May 1991."

Subitem-B: (R-91-2223) ADOPTED AS RESOLUTION R-278525

Resolution of Intention to designate an area of benefit
in Carmel Valley and setting the time and place for
holding a public hearing.

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COMMITTEE ACTION: Reviewed by TLU on 6/24/91. Recommendation to approve the City Manager's recommendation subject to approve the proposed FBA program including the East/West Road project for an environmental road alignment Study; defer the commercial/industrial fees per square foot pending additional study; and, work with MTDB to arrive at an appropriate fair-share financing program for transit. Districts 1, 2 and 4 voted yea. Districts 5 and 8 not present.

FILE LOCATION: STRT-FB5

COUNCIL ACTION: (Tape location: A083-100.)

MOTION BY PRATT TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S504:

(Continued from the meetings of June 25, 1991, Item 338 and July 30, 1991, Item 338; last continued at Councilmember Roberts' request, to allow him to be present.) Matters of the following appeals from the decision of the Historical Site board in designating the following properties located in the Harborview/Little Italy area, in the Centre City Community Plan area as historical sites: Commercial Buildings Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 2260 Columbia Street (Foster-Kleiser Building). Residential Buildings

1) Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 1620 Union (June's Attorney Service).

2) Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 1654 Union (Crowell House).

3) Appeal of Patricia Kent of Worley, Schwartz, Garfield & Rice for 1632 State (Knobel rental).

4) Appeal of Steve A. Morton for 1610 Union (Millard rental).

5) Appeal of Nancy G. Porter for 1642, 1644, 1646 and 1648 Union (Tarpley residence).

6) Appeal of George W. Tower, M.A., J.D. for 1642
(Dumas residence) and 1648 State (The Doll Factory).

7) Appeal of Patricia Kent of Worley, Schwartz,
Garfield & Rice for 602 W. Fir (Piriano residence).

(District-2.)

Subitem-A: (R-92-249) DENY THE DESIGNATION, ADOPTED
AS RESOLUTION R-278531

Adoption of a Resolution approving or denying the
designation for the property located at 2260 Columbia
Street with appropriate findings to support Council
action.

Subitem-B: (R-92-) CONTINUED TO OCTOBER 1, 1991

Adoption of a Resolution approving or denying the
designation for the property located at 1620 Union
Street with appropriate findings to support Council
action.

Subitem-C: (R-92-) CONTINUED TO OCTOBER 1, 1991

Adoption of a Resolution approving or denying the
designation for the property located at 1654 Union
Street with appropriate findings to support Council
action.

Subitem-D: (R-92-) CONTINUED TO OCTOBER 1, 1991

Adoption of a Resolution approving or denying the
designation for the property located at 1632 State
Street with appropriate findings to support Council
action.

Subitem-E: (R-92-) CONTINUED TO OCTOBER 1, 1991

Adoption of a Resolution approving or denying the
designation for the property located at 1610 Union
Street with appropriate findings to support Council
action.

Subitem-F: (R-92-) CONTINUED TO OCTOBER 1, 1991

Adoption of a Resolution approving or denying the
designation for the property located at 1642, 1644,
1646, and 1648 Union Street with appropriate findings
to support Council action.

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Subitem-G: (R-92-) CONTINUED TO OCTOBER 1, 1991

Adoption of a Resolution approving or denying the designation for the property located at 1642 and 1648 State Street with appropriate findings to support Council action.

Subitem-H: (R-92-250) DENY THE DESIGNATION, ADOPTED AS RESOLUTION R-278532

Adoption of a Resolution approving or denying the designation for the property located at 602 W. Fir Street with appropriate findings to support Council action.

FILE LOCATION: Gen'l-Historical Site Board, Appeals, Decisions, etc.-Harborview/Little Italy

COUNCIL ACTION: (Tape location: D300-F156.)

MOTION BY HENDERSON TO DENY THE HISTORICAL DESIGNATION FOR THE PROPERTY LOCATED AT 2260 COLUMBIA STREET. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

MOTION BY ROBERTS TO DENY THE HISTORICAL DESIGNATION FOR THE PROPERTY LOCATED AT 602 W. FIR STREET. Second by Behr. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

MOTION BY HENDERSON TO CONTINUE SUBITEMS B THROUGH H TO OCTOBER 1, 1991 FOR FULL COUNCIL. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S505: (R-92-215) ADOPTED AS RESOLUTION R-278526

Authorizing the execution of an agreement with Health Sciences Associates, for the performance of a citywide Needs Analysis and Assessment of General Safety Standards, as mandated by Title 8, California Code of Regulations Section 3203; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$50,000 from Fund No. 50061, Job Order 610, for the purpose of providing funds for the above agreement.

CITY MANAGER SUPPORTING INFORMATION: Title 8 of the California Code of Regulations sets forth the employee safety rules and regulations enforced by CAL/OSHA. The employee safety regulations monitored by CAL/OSHA have been significantly impacted by the passage of SB 198 which requires employers to establish, implement, and maintain an effective Injury/Illness Prevention Program. In order to determine the overall compliance of City operations with SB 198 (Title 8, amended Section 3203), it will be necessary to perform a needs analysis and assessment involving the evaluation of occupational hazards, employee training, inspection frequencies and safety equipment necessary for employees to perform their jobs in a safe and hazard-free environment. Professional consulting services are needed to perform this comprehensive assessment of safety programs relative to the requirements of SB 198 as well as to provide an overall evaluation of hazards in the workplace. Through the efforts of the Risk Management Department, a Request for Proposals was issued for a needs analysis and assessment of City operations consistent with SB 198 safety requirements. The bidding documents were advertised in the San Diego Daily Transcript, San Diego Voice and Viewpoint, La Prensa San Diego, and the San Diego Asian Journal. A Consultant Selection Panel consisting of safety and administrative staff from the Risk Management Department evaluated the proposals and qualifications received based upon criteria which is consistent with Administrative Regulation 25.70. Health Sciences Associates was selected to provide the Citywide needs analysis and assessment of general safety standards based on overall experience, expertise of staff and cost effectiveness.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A083-100.)

MOTION BY PRATT TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S506: (O-92-27) INTRODUCED, TO BE ADOPTED
SEPTEMBER 9, 1991

Introduction of an Ordinance amending chapter V, Article 6, of the San Diego Municipal Code by repealing Section 56.29.1 and amending Section 56.54, relating to the Consumption or Possession of alcoholic Beverages in Certain City Areas.

(Mid-City, Mission trail Regional Park, San Ysidro, and Southeast San Diego Community Areas. Districts-7 and 8.)

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CITY MANAGER SUPPORTING INFORMATION: On June 10, 1991 the City Council referred to the City Manager and City Attorney preparation of an Ordinance which would extend the beach and park alcohol ban to several other parks without circumventing the earlier alcohol ban referendum. The following parks were added to the Ordinance:

- * 24 hour alcohol ban: Memorial Park.
- * Noon - 2 a.m. alcohol ban: Larsen Sports Field, Vista Terraces Neighborhood Park and Colina del Sol Community Park.

The following park parking lots were added to the Ordinance:

- * 24 hour alcohol ban: Mission Trails Regional Park.

We believe the above changes would withstand a court test, if any, on circumventing the referendum; however, there is no certainty in this. The following was not added to the Council's Park and Beaches Committee:

- * Ellen Browning Scripps Park Housekeeping changes were made:
- * Transferred from another section of the Municipal Code to this section was the 24 hour ban at Santa Clara Point, Mission Bay Park.
- * Added back the 10 p.m. - 6 a.m. and midnight to 6 a.m. pre-existing alcohol bans at shoreline parks which were not included in the emergency alcohol Ordinance.
- * Clarified ambiguities in the descriptions of shoreline park and alcohol bans in the Emergency Alcohol Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D182-208.)

MOTION BY ROBERTS TO INTRODUCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

ITEM-ND-1:

Drug State of Emergency Report given by Chief Burgreen, along with an anti-gang graffiti abatement effort report by the City Manager.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C054-D163.)

COUNCIL COMMENT:

None.

PUBLIC COMMENT

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Filner at 5:05
p.m. in honor of the memory of Lee Trepanier.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G115.).